



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 13 मई, 2013/23 वैशाख, 1935

हिमाचल प्रदेश सरकार

लोक निर्माण विभाग

अधिसूचना

शिमला-2, 10 मई, 2013

संख्या: पी.बी.डब्ल्यू(बी)एफ (5)50/2011.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामत मुहाल हार बालकरूपी, तहसील जयसिंहपुर, जिला कांगड़ा में मण्डल एवं उप-मण्डल के कार्यालय भवन हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भू-अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने तथा उस धारा द्वारा अपेक्षित अथवा अनुमत: अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी हितबद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस (30) दिन की अवधि के भीतर भू-अर्जन समाहर्ता, लोक निर्माण विभाग, कांगड़ा, हिमाचल प्रदेश के समक्ष लिखित आपत्तिदायर कर सकता है।

विवरणी

जिला	तहसील	गांव	खसरा नम्बर	क्षेत्र (है0) में
कांगड़ा	जयसिंहपुर	हार बालकरूपी	874 / 2	0-02-64
			880	0-16-60
		कुल जोड़	किता-2	0-19-24

आदेश द्वारा,
हस्ताक्षरित /—
प्रधान सचिव (लोक निर्माण)।

भाषा कला एवं संस्कृति विभाग

अधिसूचना

शिमला-2, 24 अगस्त, 2012

संख्या: एल0सी0डी0-ए (3)-7/2010.—हिमाचल प्रदेश की राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, भाषा, कला एवं संस्कृति विभाग में सहायक निदेशक, (अभिलेखागार) वर्ग-I, (राजपत्रित), के पद के लिए इस अधिसूचना से संलग्न उपाबन्ध-‘क’ के अनुसार भर्ती और प्रोन्नति नियम बनाती हैं, अर्थात्:—

1. **संक्षिप्त नाम और प्रारम्भ.**—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश भाषा, कला एवं संस्कृति विभाग, सहायक निदेशक (अभिलेखागार) वर्ग-1, (राजपत्रित, भर्ती और प्रोन्नति नियम, 2012 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. **निरसन और व्यावृत्तियां.**—(1) अधिसूचना संख्या: एल0 सी0 डी0-बी(1)1/2003 तारीख 15 जनवरी, 2007 द्वारा अधिसूचित हिमाचल प्रदेश भाषा, कला एवं संस्कृति विभाग सहायक निदेशक (अभिलेखागार) वर्ग-I, (राजपत्रित) भर्ती और प्रोन्नति नियम, 2007 का एतद्वारा निरसन किया जाता है।

(2) परन्तु ऐसे निरसन के होते हुए भी उपरोक्त उपनियम 2(1) के अधीन इस प्रकार निरसित नियमों के अधीन की गई कोई नियुक्ति, बात या कार्रवाई इन नियमों के अधीन विधिमान्य रूप में की गई समझी जाएगी।

आदेश द्वारा,
हस्ताक्षरित /—
प्रधान सचिव (भाषा, कला एवं संस्कृति)।

भाषा, कला एवं संस्कृति विभाग हिमाचल प्रदेश में सहायक निदेशक (अभिलेखागार) वर्ग-I (राजपत्रित) पद के लिए भर्ती और प्रोन्नति नियम

1. पद का नाम.—सहायक निदेशक (अभिलेखागार)
2. पदों की संख्या.—01 (एक)
3. वर्गीकरण.—वर्ग-I (राजपत्रित)
4. वेतनमान.— (i) नियमित पदाधारियों के लिए वेतनमान:
पे बैंड 10300-34800 रुपए जमा 5000/-रुपए ग्रेड पे।
(ii) संविदा कर्मचारियों के लिए उपलब्धियां :
15300/- रुपए स्तम्भ संख्या:15-क में दिए गए ब्यौरे के अनुसार ।
5. चयन पद अथवा अचयन.—चयन
6. सीधी भर्ती के लिए आयु.—45 वर्ष और उससे कम।

परन्तु सीधे भर्ती किए जाने वाले व्यक्तियों के लिए ऊपरी आयु सीमा, तदर्थ या संविदा के आधार पर नियुक्त किए गए व्यक्तियों सहित पहले से ही सरकार की सेवा में अभ्यर्थियों को लागू नहीं होगी :

परन्तु यह और कि यदि तदर्थ या संविदा के आधार पर नियुक्त किया गया अभ्यर्थी इस रूप में नियुक्ति की तारीख को अधिक आयु का हो गया हो, तो वह तदर्थ या संविदा के आधार पर नियुक्ति के कारण विहित आयु में छूट के लिए पात्र नहीं होगा :

परन्तु यह और कि अनुसूचित जातियों/अनुसूचित जनजातियों तथा अन्य वर्गों के व्यक्तियों के लिए ऊपरी आयु सीमा में उतनी ही छूट दी जा सकेगी, जितनी हिमाचल प्रदेश सरकार के साधारण या विशेष (आदेश/आदेशों) के अधीन अनुज्ञेय है;

परन्तु यह और कि पब्लिक सैक्टर, निगमों तथा स्वायत्त निकायों के सभी कर्मचारियों को, जो ऐसे पब्लिक सैक्टर, निगमों तथा स्वायत्त निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सैक्टर, निगमों/स्वायत्त निकायों में आमेदन से पूर्व सरकारी कर्मचारी थे, सीधी भर्ती में आयु की सीमा में ऐसी ही रियायत दी जाएगी, जैसी सरकारी कर्मचारियों को अनुज्ञेय है, किन्तु इस प्रकार की रियायत उन पब्लिक सैक्टर, निगमों/स्वायत्त निकायों के ऐसे कर्मचारीवृन्द को नहीं दी जाएगी जो पश्चात्पूर्वी ऐसे निगमों/स्वायत्त निकायों द्वारा नियुक्त किए गए थे/किए गए हैं और उन पब्लिक सैक्टर, निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के पश्चात् ऐसे निगमों/स्वायत्त निकायों की सेवा में अन्तिम रूप से आमेलित किए गए हैं/किए गए थे।

- (1) सीधी भर्ती के लिए आयु सीमा की गणना उस वर्ष के प्रथम दिवस से की जाएगी, जिसमें पद (पदों) को आवेदन आमन्त्रित करने के लिए, यथा स्थिति, विज्ञापित किया गया है या नियोजनालयों को अधिसूचित किया गया है।
- (2) अन्यथा सुअर्हित अभ्यर्थियों की दशा में सीधी भर्ती के लिए आयु सीमा और अनुभव, हिमाचल प्रदेश लोक सेवा आयोग के विवेकानुसार तिथि शिथिल किया जा सकेगा।

7. सीधे भर्ती किए जाने वाले व्यक्ति(व्यक्तियों) के लिए अपेक्षित न्यूनतम शैक्षिक और अन्य अर्हताएं:
(क) अनिवार्य अर्हताएं.—(i) किसी मान्यता प्राप्त विश्वविद्यालय से आधुनिक इतिहास में द्वितीय श्रेणी में स्नातकोत्तर हो।

(ii) अभिलेखागार का डिप्लोमा।

(ख) वांछनीय अर्हता.—(i) हिमाचल प्रदेश की रूढ़ियों, रीति-रिवाजों और बोलियों का ज्ञान तथा प्रदेश में विद्यमान विशिष्ट परिस्थितियों में नियुक्ति के लिए उपयुक्तता।

8. सीधे भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए विहित आयु और शैक्षिक अहर्ताएं प्रोन्नत व्यक्ति(व्यक्तियों) की दशा में लागू होंगी या नहीं.—आयु : लागू नहीं। शैक्षिक अर्हता: जैसा उपरोक्त स्तम्भ 7 में विहित है।

9. परीक्षा की अवधि, यदि कोई हो.—दो वर्ष, जिसका एक वर्ष से अनधिक ऐसी और अवधि के लिये विस्तार किया जा सकेगा, जैसा सक्षम प्राधिकारी विशेष परिस्थितियों में और लिखित कारणों से आदेश दें।

10. भर्ती की पद्धति:—भर्ती सीधी होगी या प्रोन्नति, प्रतिनियुक्ति, स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरे जाने वाले पद (पदों) की प्रतिशतता.—शत प्रतिशत प्रोन्नति द्वारा, ऐसा न होने पर सीधी भर्ती द्वारा नियमित आधार पर अथवा संविदा के आधार पर भर्ती द्वारा। दोनों के न होने पर, यथास्थिति, सैकण्डमैण्ट आधार पर/संविदा के आधार पर नियुक्त कर्मचारी स्तम्भ संख्या 15—क में दी गई उपलब्धियों को प्राप्त करेगा और उक्त स्तम्भ में दर्शाई गई सेवा शर्तों द्वारा विनियमित होगा।

11. प्रोन्नति, प्रतिनियुक्ति, स्थानान्तरण की दशा में श्रेणी (श्रेणियों) जिनसे प्रोन्नति/प्रतिनियुक्ति/स्थानान्तरण किया जाएगा.—तकनीकी सहायकों (अभिलेखागार) में से प्रोन्नति द्वारा, जिनका 9 वर्ष का नियमित सेवाकाल हो या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके 9 वर्ष का नियमित सेवाकाल हो, ऐसा न होने पर तकनीकी सहायकों (अभिलेखागार) में से प्रोन्नति द्वारा, जिनका तकनीकी सहायक (अभिलेखागार) और कनिष्ठ तकनीकी सहायक (अभिलेखागार) के रूप में संयुक्त: 12 वर्ष का नियमित सेवाकाल या की गई लगातार तदर्थ सेवा सहित 12 वर्ष का नियमित सेवाकाल हो, जिसमें तकनीकी सहायक (अभिलेखागार) के रूप में दो वर्ष की अनिवार्य सेवा सम्मिलित होगी। ऐसा न होने पर सीधी भर्ती द्वारा नियमित आधार पर या संविदा के आधार पर भर्ती द्वारा, दोनों के न होने पर, अन्य सरकारी विभागों में समरूप वेतनमान में कार्यरत इस पद के पदधारियों में से सैकण्डमैण्ट आधार पर प्रोन्नति के प्रयोजन के लिए प्रत्येक कर्मचारी को, जनजातीय/दुर्गम क्षेत्रों में पद (पदों) की ऐसे क्षेत्रों में पर्याप्त संख्या की उपलब्धता के अधधीन, कम से कम एक कार्यकाल तक सेवा करनी होगी :

परन्तु यह और कि उपर्युक्त परन्तुक, उन कर्मचारियों के मामले में लागू नहीं होगा जिनकी अधिवर्षिता के लिए पांच वर्ष या उससे कम की सेवा शेष रही हो :

परन्तु यह और भी कि उन अधिकारियों/कर्मचारियों को, जिन्होंने जनजातीय/दुर्गम क्षेत्रों में कम से कम एक कार्यकाल तक सेवा नहीं की है, ऐसे क्षेत्र में उसके अपने संवर्ग (कांडर) में सर्वथा वरिष्ठता के अनुसार स्थानान्तरित किया जाएगा।

स्पष्टीकरण I.—उपर्युक्त परन्तुक के प्रयोजन के लिए जनजातीय/दुर्गम क्षेत्रों में “कार्यकाल” से साधारणतया तीन वर्ष की अवधि या प्रशासनिक अपेक्षाओं और कर्मचारी द्वारा किए गए कार्य को ध्यान में रखते हुए ऐसे क्षेत्रों में तैनाती की इससे कम अवधि, अभिप्रेत होगी।

स्पष्टीकरण II.—उपर्युक्त परन्तुक के प्रयोजन के लिए जनजातीय/दुर्गम क्षेत्र निम्न प्रकार से होंगे :—

1. जिला लाहौल एवं स्पिति।
2. चम्बा जिला का पांगी और भरमौर उप मण्डल।
3. रोहडू उप मण्डल का डोडरा क्वार क्षेत्र।
4. जिला शिमला की रामपुर तहसील का पन्द्रह बीस परगना, मुनीष दरकाली और ग्राम पंचायत काशापट।

5. कुल्लू जिला का पन्द्रह बीस परगना।
6. कांगड़ा जिला के बैजनाथ उप मण्डल का बड़ा भंगाल क्षेत्र।
7. जिला किन्नौर।
8. सिरमौर जिला में उप तहसील कमराउ के काठवाड़ और कोरगा पटवार वृत्त, रेणुकाजी तहसील के भलाड-भलौना और सांगना पटवार वृत्त और शिलाई तहसील के कोटा पाब पटवार वृत्त।
9. मण्डी जिला में करसोग तहसील का खन्योल-बगड़ा पटवार वृत्त, बाली चौकी उप तहसील के गाडा गौसाई, मठयानी, घनयाड़, थाची, बागी, सोमगाड़ और खोलानाल, पद्धर तहसील के झारवाड़, कुटगढ़, ग्रामन, देवगढ़, ट्रैला, रोपा, कथोग, सिल्ह-भडवानी, हस्तपुर, घमरेड आकर भरेढ़ पटवार वृत्त, थुनांग तहसील के चियूणी, कालीपार, मानगढ़, थाच-बगड़ा, उत्तरी मगरू और दक्षिणी मगरू पटवार वृत्त आकर सुन्दरनगर तहसील का बटवाड़ा पटवार वृत्त।

1. प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरक (पोषक) पद में की गई निरन्तर तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जाएगी, कि सम्भरक प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति, भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी :

2. परन्तु उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरक पद में अपने कुल सेवाकाल (तदर्थ आधार पर की गई सेवा सहित, जो नियमित सेवा/नियुक्ति के अनुसरण में हो) के आधार पर उपर्युक्त उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहां अपने-अपने प्रवर्ग/पद/काडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्तियों से ऊपर रखे जाएंगे :

परन्तु यह और कि उन सभी पदधारियों की जिन पर प्रोन्नति के लिए विचार किया जाना है, कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती और प्रोन्नति नियमों में विहित सेवा, जो भी कम हो, होगी :

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा/समझे जाएंगे।

स्पष्टीकरण.—अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा, यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है, जिसे डिमोबिलाईज्ड आर्मड फोर्सिज परसोनल (रिजर्वेशन ऑफ वकैसिज इन हिमाचल स्टेन नॉन टेक्निकल सर्विसिज) रूलज 1972 के नियम-3 के उपबन्धों के अन्तर्गत भर्ती किया गया हो तथा इनके अन्तर्गत वरीयता लाभ दिए गए हों या जिसे एक्स सर्विस मैन (रिजर्वेशन ऑफ वकैसिज इन दी हिमाचल प्रदेश टेक्निकल सर्विसिज) रूलज 1985 के नियम (3) के उपबन्धों के अन्तर्गत भर्ती किया गया हो और इनके अन्तर्गत वरीयता लाभ दिए गए हों।

(2) इसी प्रकार स्थायीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व सम्भरक पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी यदि तदर्थ नियुक्ति/प्रोन्नति, उचित चयन के पश्चात् और भर्ती और प्रोन्नति नियम के अनुसार की गई थी :

परन्तु की गई उपर्युक्त निर्दिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थायीकरण होगा, उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

12. यदि विभागीय प्रोन्नति समिति विद्यमान हो, तो उसकी संरचना.—विभागीय प्रोन्नति समिति की अध्यक्षता हिमाचल प्रदेश लोक सेवा आयोग के अध्यक्ष या उस द्वारा मनोनित सदस्य द्वारा की जाएगी।

13 भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा.—जैसा विधि द्वारा अपेक्षित हो।

14. सीधी भर्ती के लिए अपेक्षा.—किसी सेवा या नियुक्ति के लिए अभ्यर्थी का भारत का नागरिक होना अनिवार्य है।

15. सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन.—सीधी भर्ती के मामले में, पद पर नियुक्ति के लिए चयन, मौखिक परीक्षा के आधार पर किया जाएगा यदि यथास्थिति, हिमाचल लोक सेवा आयोग या अन्य भर्ती प्राधिकरण ऐसा करना आवश्यक या समीचीन समझे, तो लिखित या व्यावहारिक परीक्षा के आधार पर किया जाएगा जिसका स्तर/पाठ्यक्रम आदि, यथास्थिति, आयोग/अन्य भर्ती प्राधिकरण द्वारा अवधारित किया जायेगा।

15—क संविदा नियुक्ति द्वारा पद पर नियुक्ति के लिए चयन.—इन नियमों में किसी बात के होते हुए भी पद पर संविदा नियुक्तियां नीचे दिए गए निबन्धनों और शर्तों के अधीन की जाएगी :—

1. संकल्पना.—(क) इस पॉलिसी के अधीन हिमाचल प्रदेश भाषा कला एवं संस्कृति विभाग में सहायक निदेशक (अभिलेखागार) को संविदा के आधार पर प्रारम्भ में एक वर्ष के लिए लगाया जाएगा, जिसे वर्षानुवर्ष आधार पर बढ़ाया जा सकेगा :

परन्तु वर्षानुवर्ष के आधार पर संविदा की अवधि में बढ़ौतरी/नवीकरण के लिए सम्बन्धित विभागाध्यक्ष यह प्रमाण—पत्र जारी करेगा कि संविदा पर नियुक्त व्यक्ति की सेवा और आचरण वर्ष के दौरान संतोषजनक रहा है, और केवल तभी उसकी संविदा की अवधि को नवीकृत/विस्तारित किया जाएगा।

(ख) पद का हिमाचल प्रदेश लोक सेवा आयोग के कार्यक्षेत्र में आना.—प्रधान सचिव/सचिव, (भाषा, कला एवं संस्कृति), हिमाचल प्रदेश रिक्त पदों को संविदा के आधार पर भरने के लिए सरकार का अनुमोदन प्राप्त करने के पश्चात्, अध्यपेक्षा को सम्बन्धित भर्ती अभिकरण अर्थात् हिमाचल प्रदेश लोक सेवा आयोग के समक्ष रखेगा।

(ग) चयन, इन नियमों में यथाविहित पात्रता शर्तों के अनुसार किया जाएगा।

(II) संविदात्मक उपलब्धियां.—संविदा के आधार पर नियुक्त सहायक निदेशक (अभिलेखागार) को 15300/—रुपये की समेकित नियत संविदात्मक रकम (जो पे बैंड का न्यूनतम जमा ग्रेड पे के बराबर होगी) प्रतिमाह संदत्त की जाएगी। यदि संविदा में एक वर्ष से अधिक की बढ़ौतरी की जाती है, तो पश्चात्पूर्ति वर्ष (वर्षों) के लिए संविदात्मक उपलब्धियों में 460/—रुपए की रकम (पे बैंड का न्यूनतम जमा ग्रेड पे का तीन प्रतिशत) वार्षिक वृद्धि के रूप में अनुज्ञात की जाएगी।

(III) नियुक्ति/अनुशासन प्राधिकारी.—प्रधान सचिव/सचिव (भाषा, कला एवं संस्कृति) नियुक्ति/अनुशासन प्राधिकारी होगा।

(IV) चयन प्रक्रिया.—संविदा नियुक्ति की दशा में, पद पर नियुक्ति के लिए चयन, मौखिक परीक्षा के आधार पर किया जाएगा या यदि, ऐसा करना आवश्यक या समीचीन हो तो, लिखित या व्यवहारिक परीक्षा के आधार पर किया जाएगा, जिसका स्तर/पाठ्यक्रम आदि सम्बद्ध भर्ती प्राधिकरण अर्थात् हिमाचल प्रदेश लोक सेवा आयोग द्वारा निर्धारित किया जाएगा।

(V) संविदात्मक नियुक्तियों के लिए चयन समिति.—जैसी सम्बन्ध भर्ती प्राधिकरण अर्थात् हिमाचल प्रदेश लोक सेवा आयोग द्वारा समय-समय पर गठित की जाए।

(VI) करार.—अभ्यर्थी को चयन के पश्चात् इन नियमों से संलग्न उपाबंध 'ख' के अनुसार करार हस्ताक्षरित करना होगा।

(VII) निबन्धन और शर्तें.—(क) संविदा के आधार पर नियुक्त व्यक्ति को 15300/—रूपए की नियत संविदात्मक रकम (जो पे बैण्ड का प्रारम्भिक जमा ग्रेड पे के बराबर होगी) प्रतिमास संदत्त की जाएगी। संविदा पर नियुक्त व्यक्ति आगे बढ़ाए गए वर्ष (वर्षों) के लिए संविदात्मक रकम में 460/—रूपए (पे बैण्ड का न्यूनतम जमा ग्रेड पे का तीन प्रतिशत) की वृद्धि का हकदार होगा और अन्य कोई सहबद्ध प्रसुविधाएं, जैसे वरिष्ठ/चयन वेतनमान आदि नहीं दिया जाएगा।

(ख) संविदा पर नियुक्त व्यक्ति की सेवा पूर्णतया अस्थायी आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण संतोषजनक नहीं पाया जाता है, तो नियुक्ति समाप्त किए जाने के लिए दायी होगी।

(ग) संविदा पर नियुक्त व्यक्ति एक मास की सेवा पूर्ण पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। यह अवकाश एक वर्ष तक संचित किया जा सकेगा। संविदा पर नियुक्त व्यक्ति को किसी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा। वह चिकित्सा प्रतिपूर्ति और एल0टी0सी0 इत्यादि के लिए भी हकदार नहीं होगा/होगी। केवल प्रसूति अवकाश, नियमानुसार दिया जाएगा।

(घ) नियन्त्रक अधिकारी के अनुमोदन के बिना सेवा से अनाधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यावसान (समापन) हो जाएगा। संविदा पर नियुक्त व्यक्ति कर्तव्य (ड्यूटी) से अनुपस्थिति की अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा।

(ङ) संविदा पर नियुक्त व्यक्ति, जिसने तैनाती के एक स्थान पर पांच वर्ष का कार्यकाल पूर्ण कर लिया है, आवश्यकता के आधार पर स्थानांतरण हेतु पात्र होगा जहां भी प्रशासनिक आधार पर ऐसा करना अपेक्षित हो।

(च) चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्यता प्रमाण पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक की गर्भवती महिला अभ्यर्थी प्रसव होने तक, अस्थायी तौर पर अनुपयुक्त बनी रहेगी। महिला अभ्यर्थियों का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः परीक्षण किया जाएगा।

(छ) संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी पद पर, जैसा नियमित पदधारी कर्मचारियों को वेतनमान के न्यूनतम पर लागू है, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा।

(ज) नियमित कर्मचारियों की दशा में यथा लागू सेवा नियमों के उपबन्ध जैसे एफ.आर.एस.आर. छूट्टी नियम, सामान्य साधारण भविष्य निधि नियम, पेंशन नियम और आचरण नियम आदि संविदा पर नियुक्त व्यक्तियों की दशा में लागू नहीं होंगे। वे इस स्तम्भ में यथावर्णित उपलब्धियों आदि के लिए हकदार होंगे।

16. आरक्षण.—सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुचित जनजातियों/पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवाओं में आरक्षण के जारी किए गए आदेशों के अधीन होगी।

17. विभागीय परीक्षा.—सेवा में प्रत्येक सदस्य को समय-समय पर यथोसंशोधित विभागीय परीक्षा नियम, 1997 में यथा विहित विभागीय परीक्षा पास करनी होगी।

18. शिथिल करने की शक्ति.—जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां वह कारणों को लिखित में अभिलिखित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, आदेश द्वारा, इन नियमों के किन्हीं उपबन्ध (उपबन्धों) को किसी वर्ग या व्यक्ति (व्यक्तियों) के प्रवर्ग या पद (पदों) की बाबत शिथिल कर सकेगी।

(Authoritative English Text of this Department Notification No. LCD-A(3)-7/2010 _____
required under clause (3) of Article 348 of the Constitution of India).

LANGUAGE ART AND CULTURE DEPARTMENT

NOTIFICATION

Shimla-171002, the 24 August, 2012

No. LCD-A(3)-7/2010.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the Recruitment & Promotion Rules, for the post of Assistant Director (Archive), Class-I, (Gazetted), in the Department of Language, Art and Culture, Himachal Pradesh, as per Annexure-“A” attached to this notification, namely:—

1. Short title and Commencement.—(1) These rules may be called the Himachal Pradesh Department of Language Art and Culture, Assistant Director (Archive), Class-I, (Gazetted), Recruitment & Promotion Rules, 2011.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. Repeal and Savings.— (1) The Himachal Pradesh Language, Art and Culture, Department Assistant Director (Archive), Class-I, (Gazetted) Recruitment & Promotion Rules, 2006 notified *vide* notification No. LCD-B(1)/2003 dated 15th January 2007 are hereby repealed.

(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the relevant rules so repealed under sub rule 2(1) *supra*, shall be deemed to have been validity made, done or taken under these Rules.

By order,
Sd/-
Principal Secretary (LAC).

Annexure-A

Recruitment and Promotion Rules for the Post of Assistant Director (Archive), Class-I, (Gazetted) in the Department of Language, Art & Culture, H. P.

- 1. Name of the Post.**— Assistant Director (Archive)
- 2. Number of Post.**— 01(One)
- 3. Classification.**— Class-I (Gazetted)
- 4. Scale of Pay.**— (i) Pay Scale for regular incumbents:
₹ 10300-34800+ ₹5000 Grade Pay)
(ii) Emoluments for contract employees ₹ 15300/- as per details given in Col. No. 15-A.
- 5. Whether “selection” post or Non selection post.**—Selection.

6. Age for direct recruitment.—45 years and below.

Provided that the upper age limit for direct recruits will not be applicable to the candidate already in service of the Government including those who have been appointed on *ad hoc* or on contract basis;

Provided further that if a candidate appointed on *ad hoc* basis or on contract basis had become overage on the date when he/she was appointed as such he/she shall not be eligible for any relaxation in the prescribed age limit by virtue of his/her such *ad hoc* or contract appointment:

Provided further that upper age limit is relaxable for Scheduled Caste/Scheduled Tribes /Other categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government:

Provided further that employees of all the Public Sector Corporations and Autonomous Bodies who happened to be Government Servants before absorption in Public Sector Corporations/Autonomous Bodies at the time of initial of such constitution of such Corporations/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the Public Sector Corporations/Autonomous bodies and who are/were finally absorbed in the service of such Corporations/Autonomous bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.

- (1) Age limit for direct recruitment will be reckoned on the first day of the year in which the post(s) is/are advertised for inviting applications or notified to the Employment Exchanges, or as the case may be.
- (2) Age and experience in the case of direct recruitment, is relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.

7. Minimum educational and other Qualifications required for direct recruits.—(a) Essential Qualifications(s)—(i) M.A. second division in Modern History from recognized University.

(ii) Diploma in Archives.

(b) Desirable Qualifications(s).—Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8. Whether age and educational qualifications(s) prescribed for direct recruits(s) will apply in the case of the promotee(s) .—*Age:* Not applicable : *Educational:* As prescribed in *Qualifications:* Column. No. 7.

9. Period of Probation, if any.—Two years' subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be record in writing.

10. Method(s) of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of posts(s) to be filled in by various methods.—100% by promotion failing which by direct recruitment on a regular basis or by direct recruitment on contract basis failing both on secondment basis as the case may be.

The contract employee will get emoluments as given in Col. No. 15-A and will be governed by service conditions as specified in the said column.

11. In case of recruitment by promotion, deputation, transfer, grade from which promotion/ deputation/transfer is to be made.—By promotion amongst the Technical Assistant (Archives) having 9 years regular service or regular combined with continuous adhoc service rendered if any, in the grade failing which by promotion from amongst the Technical Assistant (Archives) with 12 years regular service or regular combined with continuous adhoc service combined as Technical Assistant (Archives) and Junior Technical Assistant (Archives) which shall include two years essential service as Technical Assistant (Archives) failing which by direct recruitment on regular basis or recruitment on contract basis failing both on secondment basis from amongst the incumbents of this post working in identical pay scale from other Government Departments.

A (1) Provided that for the purpose of promotion every employee shall have to serve at least one term in Tribal/Difficult areas subject to adequate number of post(s) available in such areas:

Provided further that the proviso (1) supra shall not be applicable in the case of those employees who have five years or less services, left for superannuation.

Provided further that Officers/Officials who have not served at least one tenure in Tribal/difficult areas shall be transferred to such, areas strictly in accordance with his/her seniority in the respective cadre.

Explanation I.—For the purpose of proviso I supra the “term” in Tribal Difficult areas shall mean normally three years or less period of posting in such areas keeping in view the administrative requirements and performance of the employee.

Explanation II.—For the purpose of proviso I supra the Tribal/ Difficult Areas shall be as under:—

1. District Lahaul & Spiti.
2. Pangi and Bharmour Sub Division of Chamba Division.
3. Dodra Kwar Area of Rohru Sub-Division.
4. Pandrah Bis Pargana Munish Darkali and Gram Panchayat Kashapat, Gram Panchayats of Rampur Tehsil of Distt. Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhangal area of Baijnath Sub-Division of Kangra District.
7. Distt. Kinnaur.
8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil in Sirmour District.
9. Khanyoi-Bagra Patwar Circle of Karsog Tehsil Gada Gussani, Mathyani, Ghanyar, Thachi Baggi, Somgad and Kholanal of Bali-Chowki Sub-Tehsil Jharwar, Kutgarh,

Graman, Devgarh, Trailla, Ropa, Kathog Silh Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil Chinul, Kalipur, Mangarh, Thach-Bagra, Northe Magru and South Magru patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

B (1) In all cases of promotion, the continuous *adhoc* service rendered in the feeder post, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *adhoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R&P Rules:

Provided that in all cases where a junior person becomes eligible for consideration by virtue of his/her total length of service (including the service rendered on *adhoc* basis, followed by regular service/appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the recruitment and promotions rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbent(s) ineligible for consideration for promotion if the senior ineligible person(s) happened to be exservicemen recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Service) Rules, 1985 and having been given the benefit of Seniority there- under.

(2) Similarly, in all cases of confirmation *adhoc* Service rendered on the feeder post, if any, prior to the regular appointment /Promotion against such post shall be taken into account towards the length of service, if the *adhoc* appointment/promotion had been made after proper selection and in accordance with the provisions of the R&P Rules:

Provided that inter-se-seniority as a result of confirmation after taking into account *adhoc* service rendered as referred to above shall remain unchanged.

12. If a Departmental promotion committee exists, what is its composition.—DPC to be presided over by the Chairman, H. P. Public Service Commission or a member there of to be nominated by him.

13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment.—As required under the law.

14. Essential requirement for a direct recruitment.—A candidate for appointment to any service of post must be a citizen of India.

15. Selection for appointment post by direct recruitment.—Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce test if the

Himachal Pradesh Public Service Commission or other recruiting authority, as the case may be, so consider necessary or expedient by a written test or practical test, the standard/syllabus etc. of which will be determined by the Commission /other recruiting authority, as the case may be.

15. A Selection for appointment to the post by contract appointment.—Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below:—

(I) Concept.—(a) Under this policy, the Assistant Director (Archive) in Department of Language, Art and Culture, H.P. will be engaged on contract basis initially for one year, which may be extended on year to year basis:

Provided that for extension/renewal of contract period on year to year basis the concerned HOD shall issue a certificate that the service and conduct of the contract appointee is satisfactory during the year and only then his/her period of contract is to be renewed/extended.

(b) POST FALLS WITHIN THE PURVIEW HP PSC.—The Principal Secretary/Secretary (LAC) to the Govt. of H.P. after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Public Service Commission.

(c) The selection will be made in accordance with the eligibility conditions as prescribed in these Rules.

(II) CONTRACTUAL EMOLUMENTS.—The Assistant Director (Archive) appointed on contract basis will be paid consolidated fixed contractual amount @ Rs.15300/- P.M an amount of Rs/- 460/- (3% of the minimum of pay band+grade pay of the post) as per annual increase in contractual emoluments for the subsequent year(s) will be allowed if contract is extended beyond one year.

(III) APPOINTING/DISCIPLINARY AUTHORITY.—Principal Secretary/Secretary (LAC) to the Government of H. P. will be appointing and disciplinary authority.

(IV) SELECTION PROCESS.—Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test or if consider necessary or expedient by a written test or practical test the standard/syllabus etc. of which will be determined by the concerned recruiting agency . i.e. H.P. Public Service Commission.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS.—As may be constituted by the concerned recruiting agency i.e. H.P. Public Service Commission from time to time.

(VI) AGREEMENT.—After selection of a candidate, he/she shall sign an agreement as per Annexure “B” appended to these Rules.

(VII) TERMS AND CONDITIONS.—(a) The contractual appointee will be paid fixed contractual amount i.e. Rs.15300/- P.M. The contract appointee will be entitled for increase in contractual amount @ (Rs.460/- (3% of minimum of the pay band+grade pay of the post) for further extended years and no other allied benefits such as senior selection scales etc. will be given.

(b) The service of the Contract Appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found satisfactory.

(c) Contractual Appointee will be entitled for oneday casual leave after putting one-month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract officer. He/she shall not be entitled for Medical reimbursement and LTC etc. Only maternity leave will be given as per Rules.

(d) Unauthorized absence from duty without approval of the Controlling Officer shall automatically lead to the termination of the contract. Contract Appointee shall not be entitled for contractual amount for the period of absence from duty.

(e) An official appointed on contract basis who have completed five years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

(f) Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered medical Practitioner. In case of Women candidates pregnant beyond 12 weeks will render her temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/Practitioner.

(g) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable to regular official at the minimum of pay scale.

(h) Provision of service rules like FR SR, Leave Rules, GPF Rules, Pension & Conduct rules etc. as are applicable in case of regular employees will not be applicable in case of contract Appointees. They will be entitled for emoluments etc. as detailed in this Column.

16. Reservation.—The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled casts/Scheduled Tribes/Other Backward classes/other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental examination.—Every member of the service shall pass a departmental examination as prescribed in H.P. Departmental Examination Rules, 1997 as amended from time to time.

18. Power to relax.—Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with H.P. Public Service Commission relax any of the provisions of these rules with respect to any class of category or person(s) or post(s).

Annexure-“B”

FORM OF CONTRACT/ AGREEMENT TO BE EXECUTED BETWEEN THE ASSISTANT DIRECTOR (ARCHIVE) AND THE GOVERNMENT OF HIMACHAL PRADESH THROUGH DIRECTOR LANGUAGE, ART & CULTURE DEPARTMENT

This agreement is made on this.....day of.....in the year.....between Sh./Smt.....S/o/D/o Shri.....r/o.....Contract appointee (Here-in-after called the FIRST PARTY), AND The Governor, Himachal Pradesh through Director , Language, Art & Culture, Himachal Pradesh (here -in-after called the SECOND PARTY).

Whereas the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a Assistant Director (Archive) on contract basis on the following terms & conditions:—

1. That the FIRST PARTY Shall remain in the service of the SECOND PARTY as a Assistant Director (Archive) for a period of one year commencing on day ofand ending on the day of.....It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with SECOND PARTY shall ipso-facto stand terminated on the last working day i.e. on-----and information notice shall not be necessary.

Provided that for extension/renewal of contract period on year to year basis the concerned Principal Secretary/Secretary (LAC) shall issue a certificate that the service and conduct of the contract appointee was satisfactory during the year and only then the period of contract is to be renewed/ extended.

2. The contractual amount of The FIRST PARTY will Rs.....15300/.....per month.
3. The service of FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found good or if a regular incumbent is appointed/posted against the vacancy for which the first party was engaged on contract.
4. Contractual Assistant Director (Archive) will be entitled for one day casual leave after putting in one month service. This leave can be accumulated upto one year. No leave of any kind is admissible to the contractual Assistant Director (Archive) . He/She will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Rules.
5. Unauthorized absence from duty without approval of the Controlling Officer shall automatically lead to the termination of the contract. A contractual Assistant Director (Archive). Appointee shall not be entitled for contractual amount for the period of absence from duty.
6. An official appointed on contract basis who have completed five years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.
7. Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered medical Practitioner. In case of women candidates pregnant beyond twelve weeks will render her temporarily unfit till the confinement is over. The women candidate should be re-examined for the fitness from an authorized Medical Officer/Practitioner.
8. Contract appointee will be entitled to TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable to regular counterpart official at the minimum of pay scale.
9. The Employees Group Insurance Scheme as well as EPF and GPF will not be applicable to contractual appointee(s).

IN WITNESS the FIRST PARTY AND SECOND PARTY have herein to set their hands the day, month and year first above written.

IN THE PRESENCE OF WITNEES :

1
.....
.....

(Name and full address)

2
.....
.....

Signature of the First Party

IN THE PRESENCE OF WITNEES:

1
.....
.....

(Name and full address)

2
.....
.....

Signature of the Second Party

MUNICIPAL COUNCIL NURPUR

(CONTROL AND REGULATION) OF MUCK DUMPING BYE-LAWS 2012

NOTIFICATION

Dated:.....

No. MCN.189.—WHEREAS the Municipal Council Nurpur after due publicity to enact/make the Muck Dumping Bye-Laws 2012 had invited objections from general public and private individuals/bodies/organizations etc. likely to be effected by these Bye-Laws/Rules with the request/stipulation that the above stated Bye-Laws shall be considered by the House of Municipal Council Nurpur for its final approval after the expiry of a specific period of 15 days from the date of their putting on the Notice board dated 19-12-2012.

AND WHEREAS subsequent upon the completion of the due process and necessary codal formalities no objections were received in the office of the Municipal Council Nurpur.

NOW THEREFORE, the following Muck Dumping Bye-Laws 2012 made by Municipal Council Nurpur in exercise of the powers conferred by Sections 216 , 217 and Section 219 read with clause (y and zb) of sub section(1) of Section 202 of the Himachal Pradesh Municipal Act, 1994 (Act no. 13 of 1994) amended from time to time and their further adoption unanimously by the House of Municipal Council Nurpur vide Resolution No. 367 Dated 29-12-2012, are hereby finally published in Rajpatra H. P. (Extraordinary) for the information of general public namely:—

“Municipal Council Nurpur (Control and Regulation) of Muck Dumping Bye-Laws, 2012.”

Preliminary

1. Short title, commencement and application.—(i) These Bye-Laws may be called “Municipal Council Nurpur (Control & Regulation) of Muck Dumping Bye-Laws, 2012”

(ii) These Bye-Laws shall come into force from the date of their publication in Rajpatra (extraordinary) Himachal Pradesh.

(iii) These Bye-Laws shall be applicable within the jurisdiction of Municipal Council Nurpur as defined from time to time.

2. Definitions.—(i) In these Bye-Laws, unless the context otherwise requires:—

(a) “Act” means the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994 as amended from time to time.

(b) “Applicant” – means any person applying for permission for dumping of Muck in the authorized dumping places as specified by the Municipal Council Nurpur.

(c) “Authorized Officer” – means any Officer/official duly authorized by the Municipal Council Nurpur under these Bye-Laws.

(d) “Muck” – includes earth or stone, material of any description or any rubbish or polluted or obnoxious matter or Debris including building , construction waste.

(e) “Place”—means authorized site specified by the Municipal Council Nurpur for dumping of Muck.

(f) “Judicial Magistrate First Class”—means the Judicial Magistrate having jurisdiction over the area of Municipal Council Nurpur under the Act.

(g) Words and expressions used in these Bye-Laws but not defined herein shall have the meaning respectfully assigned to them under Act.

3. Prohibition of Muck Dumping.—(i) No person , either himself or through another , shall knowingly or otherwise throw or cause to be thrown any kind of Muck in any place other than the place specified by the Municipal Council Nurpur for dumping of Muck within its area.

(ii) Any person found dumping the Muck illegally, unauthorizedly and without any permission shall be liable for penalty under these Bye-Laws and the vehicle or tools used for such dumping shall be impounded.

4. Procedure for Application and grant of permission.—(i) applicant or the person concerned intended to commence the construction within the area of Municipal Council Nurpur shall in writing submit detailed estimate of Muck to be generated from the plot/construction site to the Municipal Council Nurpur on the prescribed proforma annexed with these Bye-Laws as appendix-I at the time of submission of their building map/plan for sanction. The building plan without such estimate shall not be considered for sanction.

(ii) The estimate submitted by the applicant shall be verified by the concerned official after inspection and thereafter the carriage of muck to be generated form the plot/ construction site shall be assessed for raising the bill and for according necessary permission in favour of the applicant.

(iii) The permission for dumping of debris shall be accorded only after obtaining receipt of the amount deposited by the applicant in the Municipal Council Nurpur on this account.

(iv) The place for dumping of muck shall be communicated to the applicant by the Municipal Council Nurpur authorities in writing and the name of the place/site for dumping of debris by the applicant shall also be mentioned in their building sanction letter. Further intimation of the same shall be given to the concerned official or to the concerned agency or the contractor hired or engaged by the Municipal Council Nurpur for managing the dumping site.

(v) Dumping transportation of the muck, a person shall have to carry the original permission a copy of which shall be affixed on the windscreen of the vehicle and the same shall have to be shown to the authorized Officer of the Municipal Council Nurpur at the time of inspection.

(vi) There shall be a restriction on movement of the vehicle carrying Muck after the sun set and before sun rise. The normal timings for dumping the Muck in the dumping site shall be between 9:00A.M. to 5:00 P.M. However, in the case of exigencies, the Municipal Council Nurpur may in writing relax such restrictions.

(vii) No one shall be permitted to carry the digging and excavation of plot or land after sun set and before sun rise but the Municipal Council Nurpur in the large public interest or in the case of emergent situation may relax such imposition/restrictions on receiving written request from the applicant or the concerned agency or the authority interested in this regard.

(viii) The person after obtaining the sanction of building map from the competent authority or before raising the construction at site is required to install a painted board of size of 3feet x 2feet indicating therein the number and date of the sanction commencement of construction and hours during which construction can be carried out, time when excavation can be done, name of dumping site allotted to the applicant for the purpose of dumping muck, nature of sanction, the area of construction sanctioned on each floor and the telephone number of the Office/control room set up by the Municipal Council Nurpur for entertainment of complaints etc.

(ix) The Municipal Council Nurpur shall prescribe the condition relating to the applicant of muck generation from the plot, grant of sanction for muck disposal and condition relating to affixing of board at site giving therein the detail as mentioned in clause (viii) at the time of grant of building sanction.

5. Rate for dumping of Muck.— the following rates shall be applicable for dumping of Muck in the specified places.

(i) Manual	Rs. 5.00 per bag
(ii) Muel	Rs. 5.00 per bag
(iii) Pickup	Rs. 300.00 per pickup
(iv) Tipper light duty	Rs. 700.00 per tipper
(v) Tipper Heavy duty/truck	Rs. 1200.00 per tipper/truck.

An increase of 10% these rates shall be applicable after every financial year which shall be notified by the Municipal Council Nurpur.

6. Duties and responsibilities of person concerned.—(i) it shall be the duty and responsibility of owner to make available all the sanction/permission granted by the competent authority to the person so hired or engaged by him for dumping of Muck in a specified place as specified by the Municipal Council Nurpur.

(ii) Whosoever is found dumping Muck other than the place specified by the Municipal Council Nurpur, the owner or the person caught dumping the Muck shall be liable jointly for penalty under these Bye-Laws.

(iii) At the time of transportation of Muck, the person concerned shall make available the permission to the inspecting staff at the time of inspection of vehicle without causing any hindrance.

7. Impounding of vehicle.—(i) The authorized officer or the police establishment of the Municipal Council Nurpur in this behalf either on the information received by himself or through other source shall immediately on receiving such information may stop and inspect the vehicle carrying muck for the purpose of ascertaining the required permission at any point of time and impound the same if found violating the provision of these Bye-Laws.

(ii) The vehicle shall only be released in case the registered owner of the vehicle applies for compounding of offences under these Bye-Laws.

(iii) The official impounding the vehicle shall immediately report in writing about the impounding of vehicle to the authorized officer/official and keep the same in custody at the place designated by the Municipal Council Nurpur till it is not released to the registered owner. The halt charges of the vehicle at such designated place shall be levied at the rate of Rs 1000.00 per day payable by registered owner to the Municipal Council Nurpur in cash or through demand draft.

8. Compounding of offences.—All the offences punishable under these Bye-Laws may, before, the institution of prosecution, be compounded by such officer as may be authorized by the Municipal Council Nurpur or Executive Officer in this behalf, on payment of such sum as may be specified by such officer under these Bye-Laws.

9. Offences to be tried summarily.—The offences which are not compounded shall be tried in a summary manner by the Judicial Magistrate First Class of the concerned Municipal area under section 260 of the code of Criminal Procedure.

10. Penalty.—(i) Whosoever, is guilty of dumping Muck other than the place specified/notified by the Municipal Council Nurpur, the rate of penalty shall be ten times at the first instance, twenty times at the second instance and for the third instance or thereafter the amount of penalty shall be thirty times of the actual rate of dumping as fixed by the Municipal Council Nurpur in respect of the class and make of vehicle as defined in Clause 5 of these Bye-Laws.

(ii) In case of repeated violation, in addition to penalty as specified above, owner at whose instance the construction/excavation work is carried and is found dumping the Muck illegally or without the permission of the competent authority as the case may be, shall also be liable for disconnection of water, electricity and other civic amenities and the concerned Officer/official may request the competent authority for withdrawal of recognition and registration if any granted in their favour including withdrawal of building sanction granted in favour of the owner concerned.

By order,
Sd/-
Executive Officer,
Municipal Council Nurpur,

NAGAR PANCHAYAT, BHUNTAR**(Control and Regulation of Muck Dumping) Bye-laws, 2013.)****NOTIFICATION***Kullu, the 09th May, 2013***No. NPB-Muckdumping-2013- 397.**

1. Short title, commencement and application.—(i) These Bye-laws may be called Nagar Panchayat, Bhunter (Control and Regulation of Muck Dumping) Bye-laws, 2013.”

(ii) These Bye-laws shall come into force from the date of their publication in the Rajpatra (extraordinary) Himachal Pradesh.

(iii) These Bye-laws shall be applicable within the jurisdiction of Nagar Panchayat, Bhunter as defined from time to time.

2. Definitions.—(i) In these Bye-laws, unless the context otherwise requires:—

- (a) **“Act”**- means the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994) as amended from time to time.
- (b) **“Applicant”**- means any person applying for permission for dumping of Muck in the authorized dumping places as specified by the Nagar Panchayat.
- (c) **“Authorized Officer”**- means any Officer/official duly authorized by the Nagar Panchayat, Bhunter under these Bye-laws.
- (d) **“Muck”**- includes earth of stone, material of any description or any rubbish or polluted or obnoxious matter or Debris including building, construction waste.
- (e) **“Place”**- means authorized site specified by the Nagar Panchayat, Bhunter for dumping of muck.
- (f) **“Judicial Magistrate First Class”**- means the Judicial Magistrate having jurisdiction over the area of Nagar Panchayat, Manali under the Act.
- (g) Words and expressions used in these Bye-laws but not defined herein shall have the meaning respectfully assigned to them under the Act.

1. Prohibition on Muck Dumping.—(i) No person, either by himself or through another, shall knowingly or otherwise throw or cause to be thrown any kind of Muck in any place other than the place specified by the Nagar Panchayat for dumping of Muck within their area.

(ii) Any person found dumping the Muck illegally, unauthorised and without any permission shall be liable for penalty under these Bye-laws and the vehicle or tools used for the dumping shall be impounded.

2. Procedure for Application and grant of permission.—(i) Applicant or the person concerned intended to commence the construction within the area of the Nagar Panchayat shall in

writing submit detailed estimate of Muck to be generated from the plot/construction site to the Nagar Panchayat on the prescribed proforma annexed with these Bye-laws as appendix-I at the time of submission of their building map/plan for sanction. The building plan without such estimate shall not be considered for sanction.

(ii) The estimate submitted by the applicant shall be verified by the concerned official after spot inspection and thereafter the carriage of muck to be generated from the Plot/construction site shall be assessed for raising the bill and for according necessary permission in favour of the applicant.

(iii) The permission for dumping of debris shall be accorded only after obtaining receipt of the amount deposited by the applicant in the Nagar Panchayat on this account.

(iv) The place for dumping of muck shall be communicated to the applicant by the Nagar Panchayat authorities in writing and the name of the place/site for dumping of debris by the applicant shall also be mentioned in their building sanction letter. Further, intimation of the same shall also be given to the contractor hired or engaged by the Nagar Panchayat for managing the dumping site.

(v) During transportation of the Muck, a person shall have to carry the original permission a copy of which shall be affixed on the windscreen of the Nagar Panchayat at the time of inspection.

(vi) There shall be restriction on movement of the vehicle carrying Muck after the sun set and before the sun rise. The normal timings for dumping the Muck in the dumping site shall be between 9:00 A.M. to 5:00 P.M. However, in the case of exigencies, the Nagar Panchayat, may in writing relax such restrictions.

(vii) No one shall be permitted to carry the digging and excavation of plot or land after sun set and before sun rise but the Nagar Panchayat in the larger public interest or in the case of emergent situation may relax such imposition/restrictions on receiving written request from the applicant or the concerned agency or the authority interested in this regard.

(viii) The person after obtaining the sanction of building map from the competent authority of before raising the construction at site is required to install a painted board of the size 3'x4' indicating there in the number and date of the sanction, commencement of construction and hours during which construction can be carried out, time when excavation can be done, name of dumping site allotted to the applicant for the purpose of dumping muck, nature of sanction, the area of construction sanctioned on each floor and the telephone number of the office/Control Room set up by the Nagar Panchayat for entertainment of complaints etc.

(ix) The Nagar Panchayat shall prescribe the conditions relating to the application of muck generation from the plot, grant of sanction for muck disposal and condition relating to affixing of board at site giving therein the detail as mentioned in clause (viii) at the time of grant of building sanction.

3. Rates for dumping of Muck.—The following rates shall be applicable for dumping of Muck in the specified places.

- | | |
|-------------------------------|------------------------------|
| (i) Pickup | Rs.300/- per pickup |
| (ii) Tipper light duty | Rs.700/-per tipper |
| (iii) Tipper Heavy duly/truck | Rs. 1200/- per tipper/truck. |

- | | |
|-------------------|-------------------|
| (iv) By manual | Rs. 50/- per cum. |
| (v) By mule/horse | Rs. 40/- per cum. |

An increase of 10% on these rates shall be applicable after every financial year which shall be notified by the Municipal Council.

4. Duties and responsibilities of person concerned.— (i) It shall be the duty and responsibility of owner to make available all the sanction/permission granted by the competent authority to the person so hired or engaged by him for dumping of Muck in a specified places as specified by the Nagar Panchayat.

(ii) Whosoever is found dumping Muck other than the place specified by the Nagar Panchayat, the owner or the person caught dumping the Muck shall be liable jointly for penalty under these bye-laws.

(iii) At the time of transportation of Muck the person concerned shall make available the permission to the inspecting staff at the time of inspection of vehicle without causing any hindrance.

5. Impounding of vehicle.— (i) The authorized officer or the police establishment of the Nagar Panchayat in this behalf either on the information received by himself or through other source shall immediately on receiving such information may stop and inspect the vehicle carrying muck for the purpose of ascertaining the required permission at any point in time and impound the same if found violating the provisions of these Bye-laws.

(ii) The vehicle shall only be released in case the register owner of the vehicle applies for compounding of offences under these Bye-laws.

(iii) The official impounding the vehicle shall immediately report in writing about the impounding of vehicle to the authority officer/official and keep the same in custody at the place designation by the Nagar Panchayat till it is not released to the registration owner. The halt charges of the vehicle at such designated place shall be levied at the rate of Rs. 1000/- per day payable by registered owner to the Nagar Panchayat in cash or through demand draft.

6. Compounding of offences.—All the offences punishable under these Bye-laws, before, the institution or Prosecution, be compounded by such officer as may be authorized by the Nagar Panchayat or by the Secretary in this behalf, on payment of such sum as may be specified by such officer under these Bye-laws.

7. Offences to be tried summarily.—The offences which are not compounded shall be tried in a summary manner by the Special Judicial Magistrate First Class of the concerned municipal area under section 260 of the Code of Criminal Procedure.

8. Penalty.—(i) Whosoever, is guilty of dumping Muck other than the place specified/notified by the Municipal Council, the rate of penalty shall be ten times at the first instance, twenty times at the second instance and for the third instance of thereafter the amount of penalty shall be thirty times of the actual rate of dumping as fixed by the Nagar Panchayat in respect of the class and make of vehicle as defined in Clause 5 of these Bye-laws.

(ii) in case of repeated violation, in addition to penalty as specified above, the owner at whose instance the construction/excavation work is carried and is found dumping the Muck

illegally off without the permission of the competent authority as the case may be, shall also be liable for disconnection of water, electricity and others civic amenities and the concerned Officer/official may request the competent authority of withdrawn of recognition and registration if any granted in their favour including withdrawn of building sanction granted in favour of the owner concerned.

By order,
Sd/-
Secretary,
Nagar Panchayat, Bhunter.

MUNICIPAL COUNCIL, MANALI

(Control and Regulation of Muck Dumping) Bye-laws, 2013.”

NOTIFICATION

Kullu, the 10th May, 2013

No. MCM-Muckdumping-2013- 436.

1. Short title, commencement and application.—(i) These Bye-laws may be called Municipal Council, Manali (Control and Regulation of Muck Dumping) Bye-laws, 2013.”

(ii) These Bye-laws shall come into force from the date of their publication in the Rajpatra (extraordinary) Himachal Pradesh.

(iii) These Bye-laws shall be applicable within the jurisdiction of MC Manali as defined from time to time.

2. Definitions.— (i) In these Bye-laws, unless the context otherwise requires:—

- (a) “**Act**”- means the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994) as amended from time to time.
- (b) “**Applicant**”- means any person applying for permission for dumping of Muck in the authorized dumping places as specified by the Municipal Council Manali.
- (c) “**Authorized Officer**”- means any Officer/official duly authorized by the MC Manali under these Bye-laws.
- (d) “**Muck**”- includes earth of stone, material of any description or any rubbish or polluted or obnoxious matter or Debris including building, construction waste.
- (e) “**Place**”- means authorized site specified by the MC. Manali for dumping of muck.
- (f) “**Judicial Magistrate First Class**”- means the Judicial Magistrate having jurisdiction over the area of MC Manali under the Act.
- (g) Words and expressions used in these Bye-laws but not defined herein shall have the meaning respectfully assigned to them under the Act.

3. Prohibition on Muck Dumping.—(i) No person, either by himself or through another, shall knowingly or otherwise throw or cause to be thrown any kind of Muck in any place other than the place specified by the MC Manali for dumping of Muck within their area.

(ii) Any person found dumping the Muck illegally, unauthorisly and without any permission shall be liable for penalty under these Bye-laws and the vehicle or tools used for the dumping shall be impounded.

4. Procedure for Application and grant of permission.—(i) Applicant or the person concerned intended to commence the construction within the area of the MC/NP shall in writing submit detailed estimate of Muck to be generated from the plot/construction site to the MC Manali on the prescribed proforma annexed with these Bye-laws as appendix-I at the time of submission of their building map/plan for sanction. The building plan without such estimate shall not be considered for sanction.

(ii) The estimate submitted by the applicant shall be verified by the concerned official after spot inspection and thereafter the carriage of muck to be generated from the Plot/construction site shall be assessed for raising the bill and for according necessary permission in favour of the applicant.

(iii) The permission for dumping of debris shall be accorded only after obtaining receipt of the amount deposited by the applicant in the MC Manali on this account.

(iv) The place for dumping of muck shall be communicated to the applicant by the MC Manali authorities in writing and the name of the place/site for dumping of debris by the applicant shall also be mentioned in their building sanction letter. Further, intimation of the same shall also be given to the contractor hired or engaged by the MC/NP for managing the dumping site.

(v) During transportation of the Muck, a person shall have to carry the original permission a copy of which shall be affixed on the windscreen of the MC Manali at the time of inspection.

(vi) There shall be restriction on movement of the vehicle carrying Muck after the sun set and before the sun rise. The normal timings for dumping the Muck in the dumping site shall be between 9:00 A.M. to 5:00 P.M. However, in the case of exigencies, the MC Manali may in writing relax such restrictions.

(vii) No one shall be permitted to carry the digging and excavation of plot or land after sun set and before sun rise but the Municipal Council in the larger public interest or in the case of emergent situation may relax such imposition/restrictions on receiving written request from the applicant or the concerned agency or the authority interested in this regard.

(viii) the person after obtaining the sanction of building map from the competent authority of before raising the construction at site is required to install a painted board of the size 3'x4' indicating there in the number and date of the sanction, commencement of construction and hours during which construction can be carried out, time when excavation can be done, name of dumping site allotted to the applicant for the purpose of dumping muck, nature of sanction, the area of construction sanctioned on each floor and the telephone number of the office/Control Room set up by the Municipal Council for entertainment of complaints etc.

(ix) The Municipal Council shall prescribe the conditions relating to the application of muck generation from the plot, grant of sanction for muck disposal and condition relating to affixing of board at site giving therein the detail as mentioned in clause

(viii) At the time of grant of building sanction.

5. Rates for dumping of Muck.—The following rates shall be applicable for dumping of Muck in the specified places.

(i) Pickup	Rs.300/- per pickup
(ii) Tipper light duty	Rs.700/-per tipper
(iii) Tipper Heavy duly/truck	Rs. 1200/- per tipper/truck.
(iv) By manual	Rs. 50/- per cum.
(v) By mule/horse	Rs. 40/- per cum.

An increase of 10% on these rates shall be applicable after every financial year which shall be notified by the Municipal Council.

6. Duties and responsibilities of person concerned.—(i) It shall be the duty and responsibility of owner to make available all the sanction/permission granted by the competent authority to the person so hired or engaged by him for dumping of Muck in a specified places as specified by the Municipal Council.

(ii) **Whosoever** is found dumping Muck other than the place specified by the Municipal Council, the owner or the person caught dumping the Muck shall be liable jointly for penalty under these bye-laws.

(iii) At the time of transportation of Muck the person concerned shall make available the permission to the inspecting staff at the time of inspection of vehicle without causing any hindrance.

7. Impounding of vehicle.— (i) The authorized officer or the police establishment of the Municipal Council in this behalf either on the information received by himself or through other source shall immediately on receiving such information may stop and inspect the vehicle carrying muck for the purpose of ascertaining the required permission at any point in time and impound the same if found violating the provisions of these Bye-laws.

(ii) The vehicle shall only be released in case the register owner of the vehicle applies for compounding of offences under these Bye-laws.

(iii) The official impounding the vehicle shall immediately report in writing about the impounding of vehicle to the authority officer/official and keep the same in custody at the place designation by the Municipal Council till it is not released to the registration owner. The halt charges of the vehicle at such designated place shall be levied at the rate of Rs. 1000/- per day payable by registered owner to the Municipal Council in cash or through demand draft.

8. Compounding of offences.— All the offences punishable under these Bye-laws, before, the institution or Prosecution, be compounded by such officer as may be authorized by the Municipal Council or by the Executive officer in this behalf, on payment of such sum as may be specified by such officer under these Bye-laws.

9. Offences to be tried summarily.—The offences which are not compounded shall be tried in a summary manner by the Special Judicial Magistrate First Class of the concerned municipal area under section 260 of the Code of Criminal Procedure.

10. Penalty.—(i) Whosoever, is guilty of dumping Muck other than the place specified/notified by the Municipal Council, the rate of penalty shall be ten times at the first instance, twenty times at the second instance and for the third instance of thereafter the amount of penalty shall be thirty times of the actual rate of dumping as fixed by the Municipal Council in respect of the class and make of vehicle as defined in Clause 5 of these By-laws.

(ii) In case of repeated violation, in addition to penalty as specified above, the owner at whose instance the construction/excavation work is carried and is found dumping the Muck illegally off without the permission of the competent authority as the case may be, shall also be liable for disconnection of water, electricity and others civic amenities and the concerned Officer/official may request the competent authority of withdrawal of recognition and registration if any granted in their favour including withdrawal of building sanction granted in favour of the owner concerned.

By order,
Sd/-
Executive officer,
Municipal Council, Manali.

NAGAR PANCHAYAT ARKI

(CONTROL AND REGULATION) OF MUCK DUMPING BYE-LAWS, 2012

NOTIFICATION

Dated, the 10th May, 2013

No. 387.—The following Muck Dumping bye-Laws, 2012 made by the NP in exercise of the power conferred by Section 216, 217 and Section 219 read with Clause (y and zb) of sub section 202 of the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994) as amended from time to time are hereby published in the Rajpatra, Himachal Pradesh (extraordinary) for the information of general public and notice is hereby given that the said draft bye-laws shall be considered by the Nagar Panchayat Arki after expiry of a period of 30 days from the date of its publication in the Rajpatra, Himachal Pradesh.

If any person, likely to be affected by these draft bye-laws has any, objection(s) against these draft rules, he may send the written objections to the Secretary of Nagar Panchayat Arki within the aforesaid period.

Objections, if any, received within the period as specified above, shall be taken into consideration by the NP before finalizing these bye-laws namely:—

N.P. ARKI (CONTROL AND REGULATION) OF MUCK DUMPING BYE-LAWS, 2012

Preliminary

1. Short title, commencement and application.—(i) These Bye-Laws may be called, NP-Arki--(Control and Regulation) of Muck Dumping Bye-Laws, 2012.

(ii) These Bye-Laws shall come into force from the date of their publication in the Rajpatra (extraordinary) Himachal Pradesh.

(iii) These Bye-Laws shall be applicable within the jurisdiction of NP-Arki--as defined from time to time.

2. Definitions.—(i) In these Bye-Laws, unless the context otherwise requires.

- (a) "**Act**"- means the Himachal Pradesh Municipal Act, 1994 (Act No.13 of 1994) as amended from time to time.
- (b) "**Applicant**"- means any person applying for permission for dumping of Muck in the authorized dumping places as specified by the NP Arki.
- (c) "**Authorised Officer**"- means any Officer/Official duly authorized by the NP Arki under these Bye-Laws.
- (d) "**Muck**"- includes earth or stone, material of any description or any rubbish or polluted or obnoxious matter or Debris including building, construction waste.
- (e) "**Place**"- means authorized site specified by the Nagar Panchayat Arki for dumping of Muck.
- (f) "**Judicial Magistrate First Class**"- means the Judicial Magistrate having jurisdiction over the area of Nagar Panchayat Arki under the Act.
- (g) "words and expressions used in these Bye-Laws but not defined herein shall have the meaning respectfully assigned to them under the Act.

3. Prohibition on Muck Dumping.—(i) No person, either by himself or through another, shall knowingly or otherwise throw or cause to be thrown any kind of Muck in any place other than the place specified by the Nagar Panchayat Arki for dumping of Muck within their area.

(ii) Any person found dumping the Muck illegally, unauthorisedly and without any permission shall be liable for penalty under these Bye-Laws and the vehicle or tools used for such dumping shall be impounded.

4. Procedure for Application and grant of permission.—(i) Applicant or the person concerned intended to commence the construction within the area of the Nagar Panchayat shall in writing submit detailed estimate of Muck to be generated from the plot/construction site to the NP on the prescribed proforma annexed with these Bye-Laws as appendix-1 at the time of submission of their building map/plan for sanction. The building plan without such estimate shall not be considered for sanction.

(ii) The estimate submitted by the applicant shall be verified by the concerned official after spot inspection and thereafter the carriage of muck to be generated from the plot/construction site shall be assessed for raising the bill and for according necessary permission in favour of the applicant.

(iii) The permission for dumping of debris shall be accorded only after obtaining receipt of the amount deposited by the applicant in the Nagar Panchayat Arki on this account.

(iv) The place for dumping of Muck shall be communicated to the applicant by the NP authorities in writing and the name of the place/site for dumping of debris by the applicant shall also be mentioned in their building sanction letter. Further, intimation of the same shall also be given to the concerned official or to the concerned agency or the contractor hired or engaged by the NP for managing the dumping site.

(v) During transportation of the Muck, a person shall have to carry the original permission a copy of which shall be affixed on the windscreen of the vehicle and same shall have to be shown to the authorized Officer of the NP at the time of inspection.

(vi) There shall be a restriction on movement of the vehicle carrying Muck after the sun set and before the sun rise. The normal timings for dumping the Muck in the dumping site shall be between 9.00 A.M. to 5.00 P.M. However, in the case of exigencies, the Nagar Panchayat may in writing relax such restrictions.

(vii) No one shall be permitted to carry the digging and excavation of plot or land after sun set and before sun rise but the NP in the large public interest or in the case of emergent situation may relax such imposition/restrictions on receiving written request from the applicant or the concerned agency or the authority interested in this regard.

(viii) The person after obtaining the section of building map from the competent authority or before raising the construction at site is required to install a painted board of the size 3x2 indicating therein the number and date of the sanction, commencement of construction and hours during which construction can be carried out, time when excavation can be done, name of dumping site allotted to the applicant for the purpose of dumping muck, nature of sanction, the area of construction sanctioned on each floor and the telephone number of the Office/Control Room set up by the NP for entertainment of complaints etc.

(ix) The Nagar Panchayat shall prescribe the conditions relating to the application of muck generation from the plot, grant of sanction for muck disposal and condition relating to affixing of board at site giving therein the detail as mentioned in clause (viii) at the time of grant of building sanction.

5. Rates for dumping of Muck.—The following rates shall be applicable for dumping of Muck in the specified places.

(i) Pickup/Trali	Rs.100/-per pickup/ trali
(ii) Tipper light duty	Rs.150/-per tipper
(iii) Tipper Heavy duty/truck	Rs.300/-per tipper/truck
(iv) Manual labour/Mule	Rs.10/-per cement bag

An increase of 10% on these rates shall be applicable after every financial year which shall be notified by the Nagar Panchayat Arki.

6. Duties and responsibilities of person concerned.—(i) It shall be the duty and responsibility of owner to make available all the sanctions/permission granted by the competent authority to the person so hired or engaged by him for dumping of Muck in a specified places as specified by the Nagar Panchayat.

(ii) Whosoever is found dumping muck other than the place specified by the Nagar Panchayat, the owner or the person caught dumping the muck shall be liable jointly for penalty under these Bye-Laws.

(iii) At the time of transportation of Muck, the person concerned shall make available the permission to the inspecting staff at the time of inspection of vehicle without causing any hindrance.

7. Impounding of vehicle.—(i) the authorized officer or the police establishment of the NP in this behalf either on the information received by himself or through other source shall immediately on receiving such information may stop and inspect the vehicle carrying muck for the

purpose of ascertaining the required permission at any point of time and impound the same if found violating the provisions of these Bye-Laws.

(ii) The vehicle shall only be released in case the register owner of the vehicle applies for compounding of offences under these Bye-laws.

(iii) The official impounding the vehicle shall immediately report in writing about the impounding of vehicle to the authorised officer/official and keep the same in custody at the place designated by the Nagar Panchayat Arki till it is not released to the registered owner. The halt charges of the vehicle at such designated place shall be levied at the rate of Rs.1000/- per day payable by registered owner to the NP in cash or through demand draft.

8. Compounding of offences.—All the offences punishable under these Bye-Laws may, before, the institution of prosecution, be compounded by such officer as may be authorized by the NP or Secretary in this behalf, on payment of such sum as may be specified by such officer under these Bye-Laws.

9. Offences to be tried summarily.—The offences which are not compounded shall be tried in a summary manner by the judicial Magistrate First Class of the concerned Municipal Area u/s 260 of the code of Criminal Procedure.

10. Penalty.—(i) Whosoever, is guilty of dumping muck other than the place specified/notified by the Nagar Panchayat, the rate of penalty shall be ten times at the first instance, twenty times at the second instance and for the third instance or thereafter the amount of penalty shall be thirty times of the actual rate of dumping as fixed by the Np in respect of the class and make of vehicle as defined in Clauses 5 of these Bye-Laws.

(ii) In case of repeated violation, in addition to penalty as specified above, the owner at whose instance the construction/excavation work is carried and is found dumping the Muck illegally or without the permission of the competent authority as the case may be, shall also be liable for disconnection of water, electricity and others civic amenities and the concerned Officer/official may request the competent authority for withdrawal of recognition and registration if any granted in their favour including withdrawal of building sanction granted in favour of the owner concerned.

By order,
Sd/-
Secretary,
Nagar Panchayat Arki.

Appendix-1

Performa for estimation of Muck generation

1. Name of the applicant of the plot/land/project.
2. Area and Kh.No. of the plot/land/project.
3. Location of the plot/land/project including Municipal Ward.
4. Whether owner or builder or otherwise please specify.
5. Estimated quantity of muck to be generated (quantity must be specified in cubic metres) alongwith estimate duly Signed by the authorized person.

Signature
(Name and address of the applicant)

Date:

Place:

EXCISE & TAXATION DEPARTMENT**NOTIFICATION***Shimla-2, the 10th May, 2013*

No. EXN-F(1)2/2012-II.—It is notified for general information of all concerned that while publishing the Notification No.7-505/2012-EXN-13112-31 dated 27-04-2013 in the e-Rajpatra Dated 09-05-2013 regarding amendment of the H. P. Liquor License Rule, 1986, some redundant material (pages 902-911 of the above Rajpatra) stand published, which is hereby withdrawn and inconvenience caused to anyone is regretted.

By order,
Sd/-
Principal Secretary (E&T).

सामाजिक न्याय एवं अधिकारिता विभाग**अधिसूचना**

शिमला-2, 04 मई, 2013

संख्या:डब्ल्यू एल.एफ.-बी (2) 4/79-IV.—हिमाचल प्रदेश की राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, इस विभाग की संमसंख्यक अधिसूचना, तारीख 18-9-2012 द्वारा अधिसूचित, हिमाचल प्रदेश सामाजिक न्याय एवं अधिकारिता विभाग, पर्यवेक्षक, वर्ग-III (अराजपत्रित), भर्ती और प्रोन्नति नियम, 2011 में और संशोधन करने के लिए निम्नलिखित नियम बनाती हैं, अर्थात् :-

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश सामाजिक न्याय एवं अधिकारिता विभाग, पर्यवेक्षक, वर्ग-III (अराजपत्रित), भर्ती और प्रोन्नति (प्रथम संशोधन) नियम, 2013 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. उपाबन्ध "क" का संशोधन.—हिमाचल प्रदेश सामाजिक न्याय एवं अधिकारिता विभाग, पर्यवेक्षक, वर्ग-III (अराजपत्रित), भर्ती और प्रोन्नति नियम, 2011 के उपाबन्ध "क" में, (क) स्तम्भ संख्या-10 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

- “(i) तीस प्रतिशत सीधी भर्ती द्वारा, यथास्थिति, नियमित आधार पर या संविदा के आधार पर सीधी भर्ती द्वारा। संविदा पर नियुक्त कर्मचारी स्तम्भ 15-क में दी गई उपलब्धियां प्राप्त करेंगे और तथाकथित स्तम्भ में यथा विनिर्दिष्ट सेवा शर्तों द्वारा विनियमित होंगे।
- (ii) चालीस प्रतिशत आंगनबाड़ी कार्यकर्ताओं/बालवाड़ी कार्यकर्ताओं/बालवाड़ी अध्यापकों/बालसेविकाओं/प्रधानाचार्य/आंगनबाड़ी, प्रशिक्षण केन्द्र/माध्यमिक स्तर केन्द्र की महिला सामाजिक अनुदेशकों में से, सीमित सीधी भर्ती द्वारा नियमित आधार पर या संविदा के आधार पर सीधी भर्ती द्वारा, जिनके पास मान्यता प्राप्त स्कूल शिक्षा बोर्ड/संस्था से दसवीं की परीक्षा उत्तीर्ण करने सहित दस वर्ष का अनुभव हो।
- (iii) तीस प्रतिशत आंगनवाड़ी कार्यकर्ताओं में से पदारोहण द्वारा,” और

(ख) स्तम्भ संख्या-11 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:-

- (i) बीस प्रतिशत आंगनवाड़ी कार्यकर्ताओं में से, जिनके पास मान्यता प्राप्त स्कूल शिक्षा बोर्ड/संस्था से दसवीं की परीक्षा उत्तीर्ण करने सहित, उनकी वरिष्ठता के आधार पर, किसी प्रतियोगिता/लिखित परीक्षा और साक्षात्कार संचालित किए बिना, आंगनवाड़ी कार्यकर्ता के रूप में बीस वर्ष से अधिक का अनुभव हो।
- (ii) दस प्रतिशत आंगनवाड़ी कार्यकर्ताओं में से, जिनके पास मान्यता प्राप्त विश्वविद्यालय से स्नातक की परीक्षा उत्तीर्ण करने सहित उनकी वरिष्ठता के आधार पर, किसी प्रतियोगिता/लिखित परीक्षा और साक्षात्कार संचालित किए बिना, आंगनवाड़ी कार्यकर्ता के रूप में पन्द्रह वर्ष से अधिक का अनुभव हो;

आदेश द्वारा,
हस्ताक्षरित—
प्रधान सचिव (सामाजिक न्याय एवं अधि0)।

(Authoritative English Text of this department notification No WLF-B(2)4/79-IV, dated 5th May, 2013 as required under clause (3) of Article 348 of the Constitution of India).

SOCIAL JUSTICE & EMPOWERMENT DEPARTMENT

NOTIFICATION

Shimla-2 the 4th May, 2013

No. WLF-B(2)4/79-IV.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the H. P. Public Service Commission is pleased to make the following Rules further to amend the Himachal Pradesh, Social Justice & Empowerment Department, Supervisor Class-III (Non Gazetted), Recruitment and Promotion, Rules, 2011 notified vide this Department Notification of even number dated 18-9-2012 namely:—

1. Short title and Commencement.—(1) These rules may be called the Himachal Pradesh, Social Justice & Empowerment Department, Supervisor, Class-III-(Non-Gazetted) Recruitment and Promotion (first amendment) Rules, 2013.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. Amendment of Annexure-A.—In Annexure “A” to the Himachal Pradesh Social Justice & Empowerment Department, Supervisor, Class-III (Non Gazetted) Recruitment and Promotion, Rules, 2011,

- (a) for the existing provisions against Col.No.10, the following shall be substituted, namely:—
- (i) 30% by direct recruitment on regular basis or by direct recruitment on contract basis as the case may be. The contract employee will get emoluments as given in Col. No.15-A and will be governed by service conditions as specified in the said column.
- (ii) 40 % by limited direct recruitment on regular basis or by direct recruitment on contract basis, from amongst the Anganwari Workers/Balwari Workers/Balwari Teachers/Balsevikas/Principal/Lady Social Instructor of Anganwari Training Centre/Middle Level Centers having passed Matriculation examination from recognized Board of School Education/Institution with ten years experience,
- (iii) 30% by induction from Anganwari Workers,

- (b) for the existing provisions against Col.No.11, the following shall be substituted, namely:—
- (i) 20 % from the Anganwari Workers who have passed Matriculation Examination from a recognized Board of School Education /Institution with more than 20 years experience as Anganwari Workers on the basis of their seniority without conducting any competition/written examination and interview.
 - (ii) 10% from Anganwari Workers who have passed Graduation from a recognized University with more than 15 years experience as Anganwari Workers on the basis of their seniority without conducting any competition/written examination and interview.

By order,
Sd/-
Pr. Secretary(SJ&E).

**GENERAL ADMINISTRATION DEPARTMENT
(Confidential and Cabinet)**

NOTIFICATION

Shimla-171002, the 13th May, 2013

No. GAD-(PA)-4-(D)-20/87.—Consequent upon the appointment of Chief Parliamentary Secretaries, the Chief Minister has been pleased to approve their attachment, with immediate effect, in the public interest, as under :—

Chief Parliamentary Secretaries

Sr. No.	Name	Attached with (for departments)
1.	Shri Jagjivan Paul	Irrigation & Public Health with Hon'ble Irrigation & Public Health Minister .
2.	Shri Rakesh Kalia	Ayurveda with Hon'ble Chief Minister.
3.	Shri Nand Lal	Health with Hon'ble Health & Family Welfare Minister.
4.	Shri Rohit Thakur	Agriculture with Hon'ble MPP & Power Minister.
5.	Shri Sohan Lal Thakur	Panchayati Raj with Hon'ble Rural Development Minister.
6.	Shri Inder Dutt Lakhanpal	Rural Development with Hon'ble Rural Development Minister.

By order,
S. Roy,
Chief Secretary .

**GENERAL ADMINISTRATION DEPARTMENT
(Confidential & Cabinet)**

NOTIFICATION

Shimla-171002, the 13th May, 2013

No. GAD-(PA) 4 (D)-20/87.—In pursuance of powers conferred in Section 3 of the Himachal Pradesh Parliamentary Secretaries (Appointment, Salaries, Allowance, Powers, Privileges and Amenities) Act, 2006, the Hon'ble Chief Minister is pleased to appoint the following members of the Himachal Pradesh Legislative Assembly as Chief Parliamentary Secretaries, Himachal Pradesh in the forenoon of 13th May, 2013 in the public interest:—

1. Shri Jagjivan Paul
2. Shri Rakesh Kalia

3. Shri Nand Lal
4. Shri Rohit Thakur
5. Shri Sohan Lal Thakur
6. Shri Inder Dutt Lakhanpal

By order,
Sd/-
Chief Secretary.

**GENERAL ADMINISTRATION DEPARTMENT
(Confidential & Cabinet)**

NOTIFICATION

Shimla-171002, the 10th May, 2013

No. GAD-(PA) 4 (D)-20/87.—The Governor, Himachal Pradesh is pleased to create 6 posts of Chief Parliamentary Secretaries with immediate effect.

This issues with the prior concurrence of the Finance Department obtained *vide* their Dy. No Fin (C) D (5)-9/98-loose dated 9 -5-2013.

By order,
Sd/-
Chief Secretary .

कार्यालय उपायुक्त, जिला किन्नौर स्थित रिकांग पिओ, हि० प्र०

अधिसूचना

दिनांक 02, मई, 2013

संख्या कनर-उप चुनाव/2013-2024-34.—हिमाचल प्रदेश पंचायती राज अधिनियम, 1994 की धारा 126 एवं हि०प्र० पंचायती राज (सामान्य) नियम, 1997 के उप नियम 124 के अन्तर्गत मैं, कै० जे० एम० पठानिया, उपायुक्त, किन्नौर, 29 अप्रैल, 2013 को आयोजित निर्वाचन प्रक्रिया के परिणामस्वरूप, पंचायत समिति पूह के अध्यक्ष के पद पर निर्वाचित व्यक्ति का नाम जन साधारण की जानकारी हेतु, निम्न प्रकार से अधिसूचित करता हूँ:-

पंचायत समिति पूह

क्र० सं०	पंचायत समिति का नाम	पद का नाम	निर्वाचित व्यक्ति का नाम व पता	टिप्पणी
1.	पं० स० पूह	अध्यक्ष	श्रीमती आशा नेगी पत्नी श्री गलछन सिछें, गांव व डा० लिप्पा, तह० मूरंग जिला किन्नौर हि० प्र०।	निर्विरोध निर्वाचित

आदेश द्वारा,
(कै० जे० एम० पठानिया),
उपायुक्त,
जिला किन्नौर, हि० प्र०।